

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
05-MD-1726 (JMR/FLN)

In re Medtronic, Inc.,)
Implantable Defibrillator) ORDER
Product Liability Litigation)

Plaintiffs appeal the Order, issued March 24, 2006, by the Honorable Arthur J. Boylan, United States Magistrate Judge, granting in part and denying in part plaintiffs' motion to compel discovery. The appeal of the Order was timely filed under Local Rule 72.1(b) (2).

Upon review, the Court finds the Magistrate's Order is neither clearly erroneous nor contrary to law. Accordingly, the appeal [Docket No. 116] is denied, and the Magistrate's Order [Docket No. 104] is affirmed.

By this Order, the Court advises the moving party that it considers this appeal to be utterly frivolous, and will countenance no further pettifogging. Any further or similar behavior will be dealt with appropriately.

IT IS SO ORDERED.

Dated: May 26, 2006

s/ James M. Rosenbaum
JAMES M. ROSENBAUM
United States Chief District Judge